

JC09 Rec'd PCT/PTO 05 OCT 2005

## IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

In re National Phase Patent Application

Case Docket No. 21729

U.S. Application based on PCT/EP/2004/003739 filed April 7, 2004

Inventors: Evers et al

For: **THE USE OF PDE4D IN THE SCREENING FOR MEDICAMENTS AGAINST  
ATHEROSCLEROSIS****TRANSMITTAL LETTER**Nutley, NJ 07110  
October 5, 2005**Mail Stop: PCT**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Please accept for filing under 35 U.S.C. § 371 the following documents:

1. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) concerning a filing under 35 U.S.C. § 371 with authorization to charge Deposit Account No. 08-2525 (in duplicate).
2. Preliminary Amendment.
3. PCT Request (English)
4. Published International Application Number PCT/ EP2004/003739 (International Publication Number WO 2004/090157) – 2 copies.
5. Notification of the Recording of a Change (PCT/IB/306) – 3 sheets.
6. Information Disclosure Statement (with copy of references B1-B3 and C1)

Case Docket No. 21729

U.S. Application based on PCT/EP2004003739

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7. PTO-1449 Form.
8. Application Data Sheet
9. Notification of Transmittal of the International Preliminary Report on Patentability (PCT/IPEA/416)
10. PCT International Search Report (PCT/ISA/210)

Respectfully submitted,



Attorney for Applicant(s)

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165944

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<b>TRANSMITTAL LETTER TO THE UNITED STATES          DESIGNATED/ELECTED OFFICE (DO/EO/US)          CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>21729</b>
		U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/552181</b>
INTERNATIONAL APPLICATION NO. <b>PCT/EP2004/003739</b>	INTERNATIONAL FILING DATE <b>April 7, 2004</b>	PRIORITY DATE CLAIMED <b>April 10, 2003</b>
TITLE OF INVENTION <b>The Use of PDE4D in the Screening for Medicaments Against Atherosclerosis</b>		
APPLICANT(S) FOR DO/EO/US <b>Stefan Evers, Juergen Fingerle, Solveig Gretarsdottir, Jeffrey R. Gulcher, Jacques Himber</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))               <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).               <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))               <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>		
<b>Items 11 to 20 below concern document(s) or information included:</b> <ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li> <li>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> </ol>		

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/552181</b>		INTERNATIONAL APPLICATION NO. PCT/EP2004/003739		ATTORNEY'S DOCKET NUMBER 21729	
20. Other items or information:  Return Postcard (showing all items attached), Sequence Listing					
The following fees have been submitted				<b>CALCULATIONS      PTO USE ONLY</b>	
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300				\$ 300.00	
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))				\$	
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0				\$	
All other situations.....\$200				\$	
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b))				\$	
If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0				\$	
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....\$100				\$	
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400				\$	
All other situations.....\$500				\$	
<b>TOTAL OF 21, 22 and 23 =</b>				300.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250	\$	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	17 - 20 =	0	x \$ 50	\$	
Independent claims	5 - 3 =	2	x \$200	\$ 400.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 700.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					
<b>SUBTOTAL =</b>				\$ 700.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$ 700.00	
				Amount to be refunded:	\$
				Amount to be charged	\$

**DEPOSIT ACCOUNT  
NO. 08-2525**

**OUR ORDER NO. 6349**

10/552181

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021

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- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 08-2525 in the amount of \$ 700.00 to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-2525. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

George W. Johnston  
Hoffmann-La Roche Inc.  
340 Kingsland Street  
Nutley, NJ 07110

  
SIGNATURE

Robert P. Hoag

NAME

39712

REGISTRATION NUMBER

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PTO/SB92 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**Certification under 37 CFR 1.10**

I hereby certify that this form and all documents cited on this form are being deposited with the United States Postal Service in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number:


EL 912129361 US

addressed to:

**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

on October 5, 2005

Date

  
Signature

Marta Swaryczewsky

Typed or printed name of person of signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Papers Submitted for Case Docket 21729: Transmittal Letter, PCT Transmittal Letter to US Designated/Elected Office, Application Data Sheet, Preliminary Amendment, Specification, Declaration, Information Disclosure Statement, Cited